

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	
Amendment of Part 15 regarding new)	
requirements and measurement guidelines)	ET Docket No. 04-37
for Access Broadband over Power Line)	
Systems)	
)	
Carrier Current Systems, including)	ET Docket No. 03-104
Broadband over Power Line Systems)	

To: The Commission

Opposition of the HomePlug Powerline Alliance

The HomePlug® Powerline Alliance (“HomePlug”) hereby submits pursuant to Section 1.429 of the Commission’s Rules¹ this Opposition to the Petition for Reconsideration of Second Report and Order (“Petition”) filed by ARRL, The National Association for Amateur Radio (“ARRL”).² ARRL in its Petition repeats the same arguments that it repeatedly has raised before in this proceeding. These arguments already have been fully considered by the Commission no

¹ See 47 C.F.R. §1.429.

² Petition for Reconsideration of Second Report and Order, submitted by ARRL, The National Association for Amateur Radio, ET Docket Nos. 03-104 & 04-37 (filed Dec. 20, 2011).

less than three times in this proceeding, and accordingly, the Petition should be denied or dismissed pursuant to Section 1.106(p)(3) of the Commission's Rules.³

HomePlug, founded in 2000, is an industry-led initiative that creates specifications and certification programs for using power lines for reliable home networking and smart grid applications. During earlier phases of this proceeding HomePlug filed multiple comments and reply comments, principally in support of the Commission retaining its existing rule providing for measurement of incidental radiation below 30 MHz using the square of an inverse linear distance extrapolation factor (40 dB/decade). In its multiple earlier comments, reply comments and *ex parte* presentations dating back to 2004, HomePlug explained that this rule is critical to the development of BPL and is scientifically based.⁴ The ARRL presents no new discussion or evidence in its Opposition that was not before the Commission in this proceeding for years.⁵

HomePlug supports the Opposition filed today by the Edison Electric Institute and the Utilities Telecom Council. For the reasons expressed herein and in that Opposition, the Commission should dismiss or deny the Petition.

Respectfully Submitted,



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³ See 47 C.F.R. §1.106(p)(3), providing that Petitions for Reconsideration of a Commission action that plainly do not warrant consideration by the Commission may be dismissed or denied by the relevant bureau(s) or office(s) when, *inter alia*, they rely on arguments that have been fully considered and rejected by the Commission within the same proceeding.

⁴ See, e.g., its most recent filings: Comments of the HomePlug Powerline Alliance filed in these dockets on September 23, 2009 and Reply Comments filed on October 8, 2009.

⁵ HomePlug notes that it mandates a notch in products certified by the Alliance to protect amateur bands in the 2-30 MHz range.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on July 17, 2012, I served the following party by electronic mail:

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